GOOD GOVERNING

Good Governing: The Police Power in the American States is a deep historical and legal analysis of state police power, examining its origins in the founding period of the American republic through the twentieth century. The book reveals how American police power was intended to be a broad, but not unlimited, charter of regulatory governance, designed to implement key constitutional objectives and advance the general welfare. It explores police power's promise as a mechanism for implementing successful regulatory governance and tackling societal ills, while considering key structural issues like separation of powers and individual rights. This insightful book will shape understanding of the neglected state police power, a key part of constitutional governance in the United States. This title is also available as Open Access on Cambridge Core.

Daniel B. Rodriguez is the Harold Washington Professor of Law at Northwestern University Pritzker School of Law. In addition to Northwestern, Professor Rodriguez has held tenured positions at the University of Texas, the University of San Diego, and the University of California, Berkeley and has held visiting positions at Harvard, Stanford, and Columbia. His scholarship focuses on public law, including constitutional law, administrative law, and regulation.

Good Governing

THE POLICE POWER IN THE AMERICAN STATES

DANIEL B. RODRIGUEZ

Northwestern University Pritzker School of Law





Shaftesbury Road, Cambridge CB2 8EA, United Kingdom

One Liberty Plaza, 20th Floor, New York, NY 10006, USA

477 Williamstown Road, Port Melbourne, VIC 3207, Australia

314-321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre, New Delhi - 110025, India

103 Penang Road, #05-06/07, Visioncrest Commercial, Singapore 238467

Cambridge University Press is part of Cambridge University Press & Assessment, a department of the University of Cambridge.

We share the University's mission to contribute to society through the pursuit of education, learning and research at the highest international levels of excellence.

www.cambridge.org

Information on this title: www.cambridge.org/9781009123051

DOI: 10.1017/9781009127370

© Daniel B. Rodriguez 2024

This publication is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, with the exception of the Creative Commons version the link for which is provided below, no reproduction of any part may take place without the written permission of Cambridge University Press & Assessment.

An online version of this work is published at doi.org/10.1017/9781009127370 under a Creative Commons Open Access license CC-BY-NC-ND 4.0 which permits re-use, distribution and reproduction in any medium for non-commercial purposes providing appropriate credit to the original work is given. You may not distribute derivative works without permission. To view a copy of this license, visit https://creativecommons.org/licenses/by-nc-nd/4.0

When citing this work, please include a reference to the DOI 10.1017/9781009127370

First published 2024

A catalogue record for this publication is available from the British Library

Library of Congress Cataloging-in-Publication Data

NAMES: Rodriguez, Daniel B., 1962- author.

TITLE: Good governing: the police power in the American states / Daniel B. Rodriguez,

Northwestern University, Illinois.

DESCRIPTION: Cambridge, United Kingdom; New York, NY: Cambridge University Press, 2024. | Includes bibliographical references and index. IDENTIFIERS: LCCN 2023054656 (print) | LCCN 2023054657 (ebook) |

ISBN 9781009123051 (hardback) | ISBN 9781009127370 (ebook)

SUBJECTS: LCSH: Police power – United States. | Police regulations – United

States. | Constitutional law - United States.

CLASSIFICATION: LCC KF4695 .R59 2024 (print) | LCC KF4695 (ebook) |

DDC 342.73/0418-dc23/eng/20231204

LC record available at https://lccn.loc.gov/2023054656

LC ebook record available at https://lccn.loc.gov/2023054657

ISBN 978-1-009-12305-1 Hardback ISBN 978-1-009-12421-8 Paperback

Cambridge University Press & Assessment has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.